FILED BY _

IN THE UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF TENNESSEEP 16 PM 2: 26

CASE NO. 05-2151-DV

TERRENCE MCFADGON, on behalf of themselves and all others similarly situated,)	THOMAS M. GOULD CLERK, U.S. D'STRICT COURT W/D OF THE MEMPHIS
Plaintiff, v.)))	Case No.: 05-2151-DV
THE FRESH MARKET, INC.,)))	
Defendant.		

ORDER GRANTING MOTION TO CONTINUE RULE 16(b) SCHEDULING CONFERENCE

Having reviewed and considered Defendant's Motion to Continue Rule 16(b)

Scheduling Conference and supporting memorandum, the Court finds that there is good cause to continue the Rule 16(b) Scheduling Conference that is currently set for

September 20, 2005 and the Court hereby grants the motion to continue the conference to the date which is 28 days after the date that this Court rules on Defendant's Motion to

Transfer Venue and Defendant's Motion to Dismiss and/or For a More Definite

Statement. The joint proposed scheduling order will be submitted no later than five (5) working days prior to the scheduling conference.

DATED this // day of September, 2005.

DIANE K. VESCOVO

UNITED STATES MAGISTRATE JUDGE

This document entered on the docket sheet in somble with Rule 58 and, 79(a) FRCP on

(3)



Notice of Distribution

This notice confirms a copy of the document docketed as number 37 in case 2:05-CV-02151 was distributed by fax, mail, or direct printing on September 19, 2005 to the parties listed.

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Honorable Bernice Donald US DISTRICT COURT